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5 Attorneys for Defendants
 6 HAROLD B. GLASSBERG, HAROLD B.
 AUERBACH, ROBERT L. POLLAK,
 7 JON-MICHAEL McSWEENY, and
 GLASSBERG, POLLAK & ASSOCIATES

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9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12 ADEIFE OMOTADE) Case No: CV 07 5683 MMC
 13 Plaintiff,)
 14 vs.)
 15 HAROLD B. GLASSBERG, HAROLD B.)
 AUERBACH, JON-MICHAEL McSWEENY,)
 16 ROBERT L. POLLAK, GLASSBERG,)
 POLLAK & ASSOCIATES, NORTHFIELD)
 17 MOUNT HERMON SCHOOL, A)
 CORPORATION, AND DOES 1-25)
 18 Defendants.)
 19

STIPULATION AND [PROPOSED] ORDER TO REMAND ACTION TO STATE COURT, TO SET ASIDE DEFAULT, AND FOR DISMISSAL OF PLAINTIFF'S EIGHTH, NINTH AND TENTH CAUSES OF ACTION AGAINST DEFENDANTS WITH PREJUDICE

Complaint Filed: October 2, 2007

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 21 Defendants Harold B. Glassberg, Harold B. Auerbach, Robert L. Pollak, Jon-Michael
 22 McSweeny, and Glassberg Pollak & Associates ("Defendants") and Plaintiff Adeife Omotade by
 23 and through their attorneys of record HEREBY STIPULATE AND AGREE as follows:

24 1. Defendants hereby remand this action, United States District Court, Northern
 25 District Case No. CV 07 5583 MMC, to the Superior Court of the State of California, County of
 26 San Francisco, Case No. CGC-07-467764

1 2. Plaintiff agrees to set aside the entry of default against Defendants in San
2 Francisco Superior Court Case No. CGC-07-467764 and the default is hereby set aside.

3 3. Plaintiff dismisses her tenth cause of action against Defendants for violation of
4 the Federal Debt Collection Practices Act with prejudice.

5 4. Plaintiff dismisses her eighth cause of action against Defendants for breach of
6 contract with prejudice.

7 5. Plaintiff dismisses her ninth cause of action against Defendants breach of the
8 implied covenant of good faith and fair dealing with prejudice.

9 6. No party shall recover attorneys' fees incurred pursuant to remand.

10 **IT IS SO STIPULATED.**

11 DATED: December 3, 2007

ROBBINS, FETTNER & LEMMON

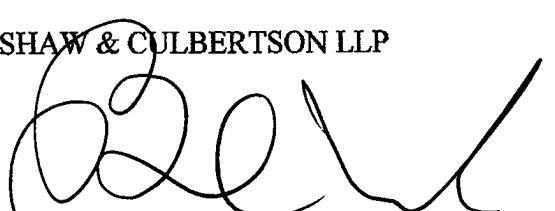
12 By:

13 
14 JEFFREY I. FETTNER
15 Attorneys for Plaintiff ADEIFE OMOTADE

16 DATED: December 3, 2007

HINSHAW & CULBERTSON LLP

17 By:

18 
19 BRADLEY M. ZAMCZYK
20 Attorneys for Defendants HAROLD B.
21 GLASSBERG, HAROLD B. AUERBACH,
22 ROBERT L. POLLAK, JON-MICHAEL
23 McSWEENEY, and GLASSBERG, POLLAK &
24 ASSOCIATES

25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 DATED: December 4, 2007

27 
28 MAGINE M. CHESNEY
29 JUDGE OF THE U.S. DISTRICT COURT